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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/631,863	08/01/2003	Shinpei Okajima	SN-US035080	9166

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SHINJYU GLOBAL IP COUNSELORS, LLP  
1233 20TH STREET, NW, SUITE 700  
WASHINGTON, DC 20036-2680

EXAMINER

BELLINGER, JASON R

ART UNIT	PAPER NUMBER
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3617

DATE MAILED: 11/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/631,863

Applicant(s)

OKAJIMA, SHINPEI

Examiner

Jason R Bellinger

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 06 August 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) 8-11 and 23-25 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7, 12-22 and 26-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 10/22/03.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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***Election/Restrictions***

1. Applicant's election without traverse of species I, drawn to Figures 1-12, in the reply filed on 6 August 2004 is acknowledged.

2. Claims 8-11 and 23-25 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 6 August 2004.

***Claim Objections***

3. Claim 30 is objected to because of the following informalities: The term "via" contains no structure and does not positively describe the invention, and should therefore be removed from the claim. Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-7, 12-22, and 26-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Passarotto in view of Koen. Passarotto shows a bicycle rim 1 having an outer annular portion 3 adapted to receive a tire thereon, the outer annular portion 3 including an outer opening 9. The rim 1 also includes an inner annular portion 2 that is

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fixedly coupled to the outer annular portion 3 to form an annular hollow area therebetween, and further having an inner opening 8. A first tubular attachment portion 10a is fixedly coupled to the outer annular portion 3 at outer opening 9, and a second tubular attachment portion 10b is fixedly coupled to the inner annular portion 2 at inner opening 8. The first and second tubular attachment portions (10a and 10b, respectively) define a receiving space, and are both heat fused, by welding or brazing, etc. (see lines 11-12 of paragraph 0022), to the outer 3 and inner 2 annular portions, respectively.

The first tubular attachment portion 10a is integrally formed with the second tubular attachment portion 10b as a one-piece unitary member 10 having a longitudinally extending internal passageway that forms a receiving space. The internal passageway is a through bore, and is partially threaded 10d. The first tubular attachment portion 10a is at least partially located within the outer attachment opening 9, while the second tubular attachment portion 10b is at least partially located within the inner attachment opening 8. The first tubular attachment portion 10a extends radially inwardly from the outer annular portion 3 into the hollow area of the rim 1, while the second tubular attachment portion 10b extends radially outwardly from the inner annular portion 2 into the hollow area of the rim 1.

Passarotto does not show the tubular portions allowing a spoke to be connected to the rim. However, it is well known in the art that spokes may be secured to a rim by a tubular element. For example, Koen teaches the use of spokes 9 that are connected to

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a rim 11 by a tubular element 12. The spoke 9 includes a threaded outer end portion that is integrally connected to an elongated central portion and an inner end portion to form a single, unitary member; and the spoke is directly threadably coupled within the spoke receiving space of the tubular element 12. Therefore from this teaching, it would have been obvious to one of ordinary skill in the art at the time of the invention to use the tubular element of Passarotto to secure spokes to the rim for the purpose of providing reinforcement at the spoke connection portion of the rim, thus decreasing the amount of wear on both the spokes and the rim.

Passarotto as modified by Koen shows the outer annular portion 3 including a plurality of circumferentially spaced outer spoke attachment openings 9 with a plurality of first tubular spoke attachment portions 10a fixedly coupled to the outer annular portion 3 at the openings 9. The inner annular portion 2 including a plurality of circumferentially spaced outer spoke attachment openings 8 with a plurality of first tubular spoke attachment portions 10b fixedly coupled to the outer annular portion 2 at the openings 8. The tubular portions (10a-10b) are heat fused to the outer and inner portions of the rim.

6. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Passarotto in view of Koen as applied to claims 1-7, 12-22, and 26-29 above, and further in view of Hinsberg et al. Passarotto as modified by Koen do not show the inner end portions of the spokes including a threaded shaft section that is integrally formed with the elongated central portion as a one-piece, unitary member so that the threaded

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shaft section is threadably coupled to a spoke nipple mounted on the central hub of the wheel.

Hinsberg et al teaches the use of a one-piece, unitary spoke 7 having a threaded shaft section coupled to a central hub 8 through a spoke nipple 12. Therefore from this teaching, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide the spoke of Passarotto as modified by Koen with a threaded shaft section threadably coupled to a spoke nipple mounted on the central hub, for the purpose of providing a means for adjusting the tension of the spokes to provide a balanced wheel.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The references are considered to show bicycle wheels having spokes attached to a rim through a tubular member. For example, Latta shows a wheel of the type described above.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason R Bellinger whose telephone number is 703-308-6298. The examiner can normally be reached on Mon - Thurs (9:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Morano can be reached on 703-308-0230. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jason R Bellinger  
Examiner  
Art Unit 3617



jrb



S. JOSEPH MORANO  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600